

Reducing the prevalence of private estate management arrangements

To: APSE Contacts in England and for information to Scotland, Wales and Northern Ireland
The proposals relate to England, but the consultation is inviting perspectives from across the UK including devolved nations.

1. Executive Summary

The [Government is consulting](#) on reforms to reduce reliance on private estate management, and increase public adoption of amenities on new housing estates in England. Such amenities include roads, drainage systems, green spaces and other communal infrastructure, that would historically have been maintained by the local authority or utility companies.

There has been increased prevalence of private management which has become the norm for most new developments, meaning that shared areas and amenities are likely to be unadopted and managed and maintained by a private estate management company (EMC), rather than the local authority or utility company.

This consultation aims to address issues of unadopted infrastructure, unfair charges, and limited homeowner rights, creating significant customer detriment.

The options for reform the government are exploring through this consultation are far-reaching and have implications for housing supply and local authority budgets when it comes to adopting and maintaining these assets.

This consultation will last for 12 weeks from **18 December 2025 to 12 March 2026** and you may respond by visiting [CitizenSpace](#).

The consultation refers to a [2024 report](#) (Housebuilding Market Study) by the Competition and Markets authority (CMA) which identified that local authorities are increasingly not adopting amenities due to the process to adopt and the ongoing cost.

Part 1 of the consultation explores options for reforming this system to reduce the need for estate management arrangements and increase amenity adoption, improve the quality of amenities and provide greater certainty to all stakeholders. It also seeks views on the potential impact on various stakeholders of the options.

Part 2 of the consultation seeks further evidence from various stakeholders to inform our evidence base in order to further develop policy. There is currently little reliable information to quantify the extent of unadopted roads or other unadopted infrastructure from residents, developers, adopting authorities (local authority, Planning, Housing and Highways Authorities or Water Companies) or management companies.

The government wants to collect evidence from these stakeholders specifically so that the government may form a comprehensive view on the next steps.

It is not necessary to answer every question, only those which best describes your circumstances or organisation.

Background

Over the past 15 years, economic pressures have significantly reduced the ability of local authorities to adopt public amenities. These include essential infrastructure such as roads, sewers, drainage systems, and open spaces.

As a result, many authorities are reluctant to assume long-term maintenance liabilities unless developers provide substantial payments to offset future costs, and in some cases, they may be unwilling to adopt amenities at all.

The government says that consequently, amenity adoption has seen a marked decline across the country as most new housing estates now rely on EMC (estate management company) arrangements to maintain common amenities, leaving homeowners and residents responsible for ongoing maintenance costs and liabilities.

The [CMA report](#) also found that estate management arrangements are causing significant detriment to consumers, and a root cause of that detriment is the reduction in levels of public amenity adoption by public authorities.

The report also found, in addition to funding and resourcing constraints of local authorities these additional reasons for decreasing levels of adoption:

- The discretionary nature of much of the legal framework underpinning adoption, with housebuilders often under no obligation to seek adoption and authorities not necessarily under an obligation to grant it where it is sought.

This is especially an issue in relation to:

- (i) **Roads**, particularly in England and Wales.
 - (ii) Sewers, particularly in England.
 - (iii) **SuDS**, in England, although concerns have also been raised with the mandatory framework in Wales, which England is moving towards, and in relation to processes in Scotland.
 - iv) **Public open spaces** across all three nations
- The processes involved in seeking and achieving adoption, including inconsistencies in approach across adopting authorities, tensions between different bodies involved in the adoption process, lack of nationally imposed guidance in certain areas, and the timescales and costs involved, including a lack of transparency around how costs for commuted sums and bonds are calculated by adopting authorities
 - The commercial incentives of housebuilders to minimise costs, in particular those for commuted sums and bonds, and/or to keep costs down by not constructing amenities to adoptable standards.

In October 2024, the government agreed to **some** of the CMA's recommendations and acknowledged that further work is needed in several key areas, including:

- recommendations to establish **common adoptable standards** and **considering mandatory adoption** (Recommendations 1.1 and 1.2);
- **prohibiting** new embedded management arrangements (Recommendation 1.4).
- Other recommendations included enhancing consumer rights (Recommendation 1.3)
- **issuing guidance** for directors of residents' management companies (Recommendation 1.5), which the government accepted in principle.

The government recognises the complexity of the legal, social, and policy issues surrounding unadopted amenities and EMCs and is committed to ending entirely the injustices associated with this model.

At present, public authorities can adopt amenities, but current practices are often complex, costly, and inconsistent. In England, adoption is discretionary: it is said that some authorities refuse outright, while others impose rigid policies that make adoption unviable. Neither adopting authorities nor developers can compel the other to agree.

On common standards, The CMA proposed standards for:

- **highways**
- sewers, pumping stations, and drains
- **Sustainable Drainage Systems** (SuDS) (where not already in place)

For public open spaces, a more flexible approach may be appropriate, allowing local authorities to set standards tailored to local needs or apply planning-led solutions.

The consultation background recognises that there are existing standards and guidance on public amenities to an extent:

- **SuDS** - In December 2024 the government updated the National Planning Policy Framework to require developments of all sizes to incorporate SuDS if the development could have drainage impacts. In June 2025, the government published the [new National Standards for SuDS](#).
- **Highways** - The Manual for Streets offers design guidance but is not mandatory, and authorities set their own standards.
- **Water Infrastructure** - Water UK provides Design and Construction Guidance for foul and surface water sewers.
- **Other amenities** - British Standards apply to features like playgrounds, ensuring minimum safety and quality.

Review of the highways adoption process

The government recognises that the current road adoption process under the Highways Act 1980 has become increasingly complex, with each Highways Authority applying different approaches and requirements. This inconsistency is a key factor behind declining road adoption rates, as developers may choose to leave roads private rather than engage in a lengthy, uncertain process, or standards agreed by a planning authority are not acceptable standards for a highways authority covering the same geographical area.

The Department for Transport has commissioned IPSOS MORI to research the barriers to adoption and identify improvements. This work will inform future reforms and is complementary to this consultation.

2. Consultation overview

Part 1 of the consultation explores the views of stakeholders and residents on the system, the need for reform and impact on the various stakeholders.

The sections within include questions on the following topics:

- The role and implementation of common standards for amenities
- Mandatory adoption for certain public amenities
- Remove perverse incentives driving non-adoption
- Improving data and transparency
- Assessment of financial sustainability and impact on consumers
- Prohibiting ‘embedded’ management company arrangements and mandating resident-controlled management
- Resident-controlled management from the outset
- Guidance for resident-controlled management companies
- Dispute resolution for poor quality amenities and adoption issues
- Geographical Scope

Part 2: call for evidence

Questions 102-118 are relevant to local authorities, to allow the consultation to capture specific information on the current situation, and to share improvements and examples of good practice.

Other information

- Impact on people with protected characteristics and the environment

3. Consultation Questions

Please note this briefing provides only an overview of the questions. Organisations are strongly encouraged to read the full consultation document and the CMA report before providing responses, as detailed context, evidence, and supporting analysis are set out there.

Part 1

Questions about the role and implementation of common standards for amenities

Question 7

Do common standards exist for the following amenities?

- highways [Yes/No/Don't Know]
- sewers, pumping stations and drains [Yes/No/Don't Know]
- public open spaces and green infrastructure [Yes/No/Don't Know]
- other, such as playgrounds or car parks (if applicable) [Yes/No/Don't Know]

Please explain your answers [Free text]

Question 8

Where standards exist, why are amenities often not delivered to these standards? (tick all that apply)

- cost constraints – Meeting standards is too expensive
- viability issues – Standards reduce profitability
- lack of enforcement – Authorities do not consistently or monitor standards
- ambiguity in standards – Standards are unclear or open to interpretation
- lack of clarity – It is unclear what the standards are
- conflicting requirements – Different authorities or agencies apply inconsistent standards
- design flexibility – Design is prioritised over standards
- time pressure – Meeting standards slows down development
- negotiation during planning – Standards are diluted through negotiation
- local discretion – Permission to depart from standards for site specific reasons
- innovation or bespoke solutions – Alternative approaches are used or encouraged that are not covered by standards
- other (please specify) [Free Text]

Question 9

At what level should standards be set for the following amenities?

- highways [Nationally/ Locally /No Standard Required]
- sewers, pumping stations and drains [Nationally/ Locally /No Standard Required]
- public open spaces and green infrastructure [Nationally/ Locally /No Standard Required]
- other, such as playgrounds or car parks (if applicable) [Nationally/ Locally /No Standard Required]

Please explain your answers [Free Text]

Question 10:

Would the following amenity types benefit from common standards?

- highways [Yes/No/Don't Know]
- sewers, pumping stations and drains [Yes/No/Don't Know]
- sustainable drainage systems [Yes/No/Don't Know]
- public open spaces and green infrastructure [Yes/No/Don't Know]
- other, such as playgrounds or car parks (if applicable) [Yes/No/Don't Know]

Please provide further information if you want to [Free Text]

Question 11:

What do you see as the main benefits of using common standards in these areas (tick all that apply)?

- consistency and predictability – Ensuring uniform quality across developments
- improved safety and reliability – Standards help maintain essential safety requirements
- efficiency in planning and approval – reduces delays and simplifies decision-making.
- cost certainty - provides more certainty when estimating costs
- Lower maintenance and repair costs – lower cost to maintain and/or repair
- can be adoptable standards – provides better consistency for public amenity adoption
- supports interoperability – ensures compatibility between different systems and infrastructure
- enhances consumer confidence – better trust in development built to recognised standards
- reduces disputes – minimises disagreements between developers and authorities

- promotes sustainability – encourages environmentally responsible design
- efficient maintenance and repair – efficiencies in cost of management and cost
- design consistency – consistent design
- anything else [Free text]

Question 12:

Would you generally be in favour of common standards serving as adoptable standards for amenities where appropriate amenities are subsequently maintained at public expense?

[Yes/No/Don't know]

Please explain your answer [Free Text]

Question 13:

What are the risks of implementing mandatory common adoptable standards for amenities?

(tick all that apply)

- increased development costs – Higher upfront costs for developers.
- increased maintenance costs – higher ongoing costs for public authorities
- reduced flexibility – Limits ability to adapt designs to local context or innovate.
- slower delivery of housing and infrastructure – Adds complexity and delays to projects.
- viability challenges – Makes some schemes financially unfeasible.
- lower quality outcomes – Standards may encourage compliance over creativity.
- one-size-fits-all approach – May not suit diverse local conditions or site constraints.
- administrative burden – More paperwork and approvals for developers and authorities.
- potential for disputes – Increased risk of disagreements over interpretation or enforcement.
- discourages innovation – Developers may avoid new techniques or sustainable solutions.
- Flat Design – lack of opportunity for original or unique design
- other (please specify) – [Free text]

Question 14:

When should wider discretion be allowed to depart from common standards - for example, to promote innovation, protect local flexibility, or allow higher standards?

Provide details [Free Text]

Question 15:

How can public authorities ensure consistent use of common standards across the same areas (e.g., planning and highways authorities), and who should be responsible for enforcing compliance with these standards?

Please explain how enforcement should work in practice

Question 16:

How else can the government streamline adoption processes, including for existing estates?

Question 17:

Any other information you wish to provide in relation to common standards?

In Part 2 (Call for evidence), for relevant public authorities, including **local authorities**, the relevant questions in this section of the consultation begin from Question 102.

Each organisation should submit only one response to the consultation.

Adoption of certain public amenities

Question 18:

Why do you think fewer amenities are adopted now compared to the past?

Provide details [Free Text]

Question 19:

Should amenities which are not generally for the benefit of the wider public be subject to mandatory adoption? [Yes/No/Don't Know]

Please explain your answer [Free Text]

Question 20:

Should the government define different categories withing certain types of amenities to establish those which are subject to mandatory adoption and those are not (please indicate in your responses the sorts of subcategories within each amenity type which should be subject to mandatory adoption)?

- highways [Yes/No/Don't Know] [Free Text]
- sewers, pumping stations and drains [Yes/No/Don't Know] [Free Text]
- sustainable drainage systems (SuDS) [Yes/No/Don't Know] [Free Text]
- public open spaces and green infrastructure [Yes/No/Don't Know] [Free Text]
- other public amenities, such as playgrounds or car parks [Yes/No/Don't Know] [Free Text]

Question 21:

In what circumstances should mandatory adoption not apply? (tick all that apply) [Free Text]

- exclusive or Private Use - Amenities intended solely for residents and guests (e.g., gated gardens, private leisure facilities).
- luxury or Bespoke Features - High-cost or ornamental amenities (e.g., water fountains, custom street lighting, decorative landscaping).
- non-Standard or Specialist Design - Features requiring specialist maintenance or non-standard materials (e.g., heritage paving, bespoke drainage systems).
- disproportionate Lifecycle or Maintenance Costs - Amenities with maintenance costs significantly above normal public budgets.
- small-Scale or Minor Amenities - Very small developments or features with negligible public benefit.
- pilot or Innovative Schemes - Experimental designs or innovation projects where flexibility is needed.
- environmental or Heritage Constraints - Protected habitats, listed structures, or biodiversity features requiring specialist stewardship.
- integrated Private Management Models - Where residents have agreed to manage amenities collectively (e.g., commonhold or trust-based arrangements).
- Local Authority Capacity Limitations - Situations where adoption would compromise statutory obligations or service delivery.
- Other (please specify) Free Text

Question 22

Which public authority could adopt each type of amenity?

- highways (we assume this would be the highways authority but welcome alternative views)
 - [Drop down: local authority, water company, highways authority, Other [Free Text] Please explain your answer [Free Text]
- sewers, pumping stations and drains
 - [Drop down: local authority, water company, highways authority, Other [Free Text] Please explain your answer [Free Text]
- sustainable drainage systems (SuDS)
 - [Drop down: local authority, water company, highways authority, Other [Free Text] Please explain your answer [Free Text]
- public open spaces and Biodiversity Net Gain
 - [Drop down: local authority, water company, highways authority, Other [Free Text] Please explain your answer [Free Text]
- other public amenities, such as playgrounds or car parks. Please explain your answer [Free Text]

Question 23:

How could government support the introduction of mandatory adoption of amenities?

Provide details[Free Text]

Question 24:

Should there be a process for agreeing exceptions to adoption on a case-by-case basis?

[Yes/No/Don't Know]

If yes, who should decide and how should this be managed? [Free text]

Question 25:

Are there any unintended consequences that the government should be aware of in relation to mandatory adoption? Provide details[Free Text]

Question 26:

What impact, if any, would mandatory adoption have on the following:

- long-term maintenance of amenities [Free Text]
- improved design and placemaking outcomes [Free Text]
- management [Free Text]
- housing supply [Free Text]
- viability of new development [Free Text]
- price of new homes [Free Text]
- cost of land [Free Text]
- developers [Free Text]
- public authorities [Free Text]
- management companies [Free Text]
- consumers/homebuyers/Residents [Free Text]
- bespoke amenities [Free Text]
- use of materials [Free Text]
- other (please specify) [Free Text]

Question 27

How can the goal of mandatory adoption support well-designed development and still allow innovation? Provide details [Free text]

Question 28

Is there anything else that you want to tell us in relation to mandatory adoption? Provide details
[Free text]

Remove perverse incentives driving non-adoption

This section focuses on improving adoption processes and addressing financial incentives.

Question 29:

What changes would encourage adoption and discourage non-adoption? (tick all that apply)

- mandatory requirement for all amenities to meet adoptable standards, regardless of whether they are adopted or not
- performance bonds or guarantees for all developments, even if adoption is not pursued
- apply commuted sums or equivalent contributions to private estate management arrangement, so developers, cannot avoid contributing to long-term maintenance costs
- penalties or levies for non-adoption, creating a financial disincentive for opting for private management where adoption is more appropriate
- require transparent disclosure of long-term costs to homeowners for private management arrangements, reducing developer advantage through consumer awareness
- create alternative funding models (e.g., endowments or trusts) that reduce reliance on resident fees and make adoption more sustainable
- nationally standardised framework for adoption processes, including clear timelines, documentation requirements, and compliance checks [Yes/No/Don't Know]
- fixed or capped inspection fees and commuted sums or other contributions set at a national or regional level [Yes/No/Don't Know]
- clearer guidance on adoptable standards to eliminate ambiguity and reduce redesign costs [Yes/No/Don't Know]
- any other suggestions (please specify) [Free Text]

Question 30:

Should inspection fees and commuted sums be set nationally, regionally or locally?

- nationally set
- regionally set
- locally set
- don't Know

Please explain your answer. [Free text]

Question 31:

What other steps could government take to discourage developers and public authorities from opting for private estate management arrangements where adoption is appropriate?

Provide details [Free text]

Question 32:

What other funding models or approaches could help ensure fair and sustainable long-term maintenance of amenities?

Provide details [Free text]

Question 33:

What other incentives drive non-adoption and how can government remove them? Provide details [Free Text]

Question 34:

What impact would proposals to reduce perverse incentives have on stakeholders (e.g., consumers, developers, public authorities, management companies)? [Free text]

Improving Data and Transparency

A desktop exercise undertaken by the Ministry of Housing, Communities and Local Government found that around **38% of councils' websites do not publish** clear policies on the adoption of estate amenities such as highways, drainage systems, and public open spaces.

The government is seeking views on whether greater transparency through published adoption policies and data would help address current challenges and improve fairness for homeowners.

Question 35

Should public authorities be required to publish clear policies on the adoption of estate amenities (e.g., highways, SuDS, open spaces, other)? [Yes/No/Don't Know]

Please explain your answer. [Free Text]

Question 36

Should authorities also publish data on the proportion of homes or new homes subject to estate management charges within their area? [Yes/No/Don't Know]

Please explain your answer. [Free Text]

Question 37

What information should be included in published adoption policies? (tick all that apply)

- types of amenities covered, and permissible exclusions
- adoption standards, including design and construction standards
- inspection processes and compliance requirements including inspection fees
- adoption fees, commuted sums
- timeframes for adoption decisions and approvals
- anything else

Please specify [Free Text]

Question 38

How frequently should data be collected (please choose one)?

- monthly
- quarterly
- annually
- something else Please specify [Free Text]

Question 39

What benefits would publishing adoption policies and data bring for developers, consumers, and local authorities?

Provide details [Free Text]

Question 40

Should the government provide guidance or a standard template for adoption policies to ensure consistency across authorities? [Yes/No/Don't Know]

Please explain your answer. [Free Text]

Question 41

What impact would this proposal have (e.g., on consumers, developers, public authorities, management companies)?

[Free text]

Assessment of financial sustainability and impact on consumers

The government seeks views on whether a sustainability and affordability test would improve consumer protection and market confidence, and how it could be designed to balance these benefits with practical implementation challenges.

Question 42

Should a financial sustainability and affordability test apply:

- at the planning stage
- the point of sale
- both

Please explain your answer [Free Text]

Question 43

If a financial suitability and affordability test were to apply, what consequences could there be if an assessment fails?

Provide details [Free Text]

Question 44

What factors should the test consider to ensure charges remain fair and predictable? (tick all that apply)

- Predictability of Costs: What the mechanisms are to limit annual increases in charges;
- Lifecycle Cost Assessment: Does the development include a long-term maintenance plan for shared amenities, with realistic cost projections and a plan for renewal;
- Affordability Thresholds: Do projected charges remain within a reasonable percentage of average household income or mortgage affordability criteria for the local area;
- Risk Mitigation: Are contingency funds or sinking funds established for major repairs or upgrades. Is it reasonable for homeowners to be responsible for the risks associated with the assets;
- Governance and Accountability: Is there a clear structure for homeowner representation and dispute resolution regarding charges; and
- Impact on Mortgage Lending: Does the test align with lender requirements to avoid mortgage offer withdrawals
- Other Please specify [Free Text]

Question 45

How should long-term maintenance costs for shared amenities be assessed and communicated to homebuyers?

Provide details [Free Text]

Question 46

Should developers and management companies be required to establish contingency or sinking funds for major repairs? [Yes/No/Don't know]

Please explain your answer [Free Text]

Question 47

What governance arrangements would give homeowners confidence in the fairness of charges?
(tick all that apply)

- independent validation of arrangements,
- ability to challenge unfair chargers,
- dispute resolution/ Homeowner representation,
- involvement in ongoing charges/ regulation,
- licensing of management companies
- other (Please specify) [Free Text]

Question 48

Could this test affect housing supply or development viability [Yes/No/Don't Know]

If so, how could these risks be mitigated?

[Free Text]

Question 49

What impact do you think the introduction of this test will have on mortgage lender confidence?

Provide details [Free Text]

Question 50

What unintended consequences should government anticipate if this test is implemented?

Provide details [Free Text]

Prohibiting 'embedded' management company arrangements and mandating resident-controlled management

The CMA's Housebuilding Market Study found that homeowners have virtually no ability to switch management companies where an embedded management company is specified in property deeds. The government agrees that embedded management companies are unwarranted and supports the CMA's recommendation.

Question 51

Should the government prohibit the establishment of new embedded management arrangements (where the management company is specified in property deeds)? [Yes/No/Don't Know]

Please explain your answer. [Free Text]

Question 52

Do embedded management arrangements limit homeowner choice and create consumer detriment? [Yes/No/Don't Know]

Please explain your answer. [Free Text]

Question 53

Are there any legitimate reasons why embedded management arrangements might still be necessary?

Provide details [Free text]

Question 54

If embedded arrangements are prohibited, what transitional measures should apply to developments already planned or under construction?

Provide details [Free text]

Question 55

What enforcement mechanisms would be needed to ensure compliance with a prohibition on embedded management arrangements?

Provide details [Free text]

Question 56

What impact would prohibiting embedded arrangements have on consumers, developers, homeowners, and management companies?

Provide details [Free text]

Resident-controlled management from the outset

The government is considering whether resident-controlled management should become the standard model for new developments, and what safeguards or support might be needed to make this approach practical and effective.

Question 57

Should resident-controlled management be the default model for new housing developments?

[Yes/No/Don't Know]

Please explain your answer. [Free Text]

Question 58

Should resident-controlled buildings (such as a Resident Management Company) be not-for-profit management companies? [Yes/No/Don't Know]

Please explain your answer [Free Text]

Question 59

What benefits do you think resident-controlled management would bring for homeowners and communities? [Free Text] (tick all that apply)

- promotes accountability
- responsiveness to local needs
- better cost management
- strengthen community-trust
- reduce consumer harm
- other (Please specify) [Free Text]

Question 60

What challenges or risks could arise from making resident-controlled management the default (e.g., governance capacity, disputes, need for professional support)?

Provide details [Free Text]

Question 61

What support or safeguards should be provided to help residents manage amenities effectively (e.g., training, access to professional advice, regulatory oversight)?

Provide details [Free Text]

Question 62

What impact would this proposal have (e.g., on consumers, developers, public authorities, management companies)?

Provide details [Free text]

Question 63

Are there any alternatives to resident-controlled companies that you think would be beneficial?

[Yes/No/Don't Know]

If so, please describe [Free Text]

Question 64

Are there any circumstances where resident-controlled management should not apply?

[Free Text]

Guidance for resident-controlled management companies

The CMA recommended that the government should provide guidance to members and directors of RMCs to support and enable them in effectively managing the amenities on their housing estates.

Question 65

Do you agree that the government should provide guidance to resident-controlled management companies? [Yes/No/Don't Know]

If so, what should be included in such guidance?

[Free Text]

Question 66

What additional support would help residents manage amenities effectively (e.g., access to professional advice, regulatory oversight, helplines)?

[Free Text]

Dispute resolution for poor quality amenities and adoption issues

The government is committed to improving consumer protection in new housing developments by ensuring homeowners have clear routes to resolve disputes. The government is seeking views on whether this approach is appropriate, what scope such a mechanism should have and whether this will lead to better outcomes for residents and adoption.

Question 67

Do you agree that homeowners on new estates need a dedicated and accessible mechanism to resolve disputes about the quality and maintenance of communal amenities? [Yes/No/ Don't know]

Please explain you answer [Free text]

Question 68

Do developers, management companies and public authorities also require a mechanism to resolve disputes regarding amenity adoption? [Yes/No/Don't Know]

Please explain your answer [Free Text]

Question 69

What types of issues should such dispute resolution mechanisms cover?

- poor construction of amenities
- failure to adopt amenities
- inadequate maintenance
- service delivery failures
- standards of conduct
- charges
- provision of information

- misrepresentation
- time to adopt amenities
- other (please specify) [Free Text]

Question 70

How effective do you think current arrangements are for resolving disputes between homeowners, developers, management companies and public authorities regarding communal amenities?

- disputes between homeowners and public authorities [Very effective/somewhat effective/not effective]
- disputes between homeowners and developers [Very effective/somewhat effective/not effective]
- disputes between homeowners and management companies [Very effective/somewhat effective/not effective]
- disputes between management companies and developers [Very effective/somewhat effective/not effective]
- disputes between management companies and public authorities [Very effective/somewhat effective/not effective]
- disputes between developers and public authorities [Very effective/somewhat effective/not effective]

Please provide examples or reasons [Free Text]

Question 71

Are there any other gaps in redress provision for other stakeholders? [Yes/No/Don't Know]

Please provide examples [Free Text]

Question 72

What would be the most important features of a new dispute resolution process for communal amenities? (e.g., independence, speed, affordability, enforceability of decisions).

Please describe your priorities [Free text].

Question 73

What impacts – positive or negative – do you think introducing such a mechanism would have on homeowners, developers, management companies and public authorities?

Provide details[Free Text]

Geographical Scope

The Government will work with partners across the United Kingdom as our policy proposals progress following consultation, where applicable.

However, they would like to hear from stakeholders as to whether the government should work with its partners on a common approach to reform, or whether each nation in the UK has distinct custom and practices which would make this impractical.

Question 74

Should the UK government seek to implement proposals for reform across the United Kingdom where it is practical to do so with support and consent from the devolved

administrations? [Yes/No/Don't Know].

Please explain your answer [Free Text]

Question 75

Are there distinct practices in the different countries of the United Kingdom that require special consideration for a joined-up approach to resolve these issues?

Provide details[Free Text]

Part 2: Relevant Public Authorities (Local Authorities, Highways Authorities, Water Companies, Other)

There is currently little reliable information to quantify the extent of unadopted roads or other unadopted infrastructure from residents, developers, adopting authorities (local authority, Planning, Housing and Highways Authorities or Water Companies) or management companies.

Local authority respondents may skip to Question 102 which is relevant to them.

About Your Organisation

Question 102

Is there anything else you'd like to tell us?

Question 103

What types of amenities do you currently adopt?

Question 104

Do you have a formal policy or framework for amenity adoption? [Yes/No]

If yes, please share details

Current Practice and Barriers

Question 105

Are there amenities you could adopt but do not? [Yes/No]

- If yes, why? [Free text]

Question 106

What are the main barriers to adopting amenities?

Question 107

How do you ensure consistency and quality in adoption decisions?

Question 108

What data do you currently collect on adopted and unadopted amenities?

Funding and Costs

Question 109

How do you currently secure funding for ongoing maintenance of adopted amenities?

Question 110

Do you seek financial contributions (e.g., commuted sums)? [Yes/No] (If yes, how are they calculated?)

Question 111

How much do you charge for inspection fees?

Question 112

Do you require performance bonds for amenity adoption? [Yes/No]

- If so, how is this calculated? (e.g., set fee, percentage of costs etc)

[Free Text]

Question 113

If mandatory adoption were introduced, what would be the estimated cost to your organisation?

Standards and Assurance

Question 114

Do you use standards or guidelines to assess adoptability? [Yes/No]

- If yes, which? [Free text]

Question 115

How do you provide assurance that private management arrangements are sustainable and affordable for residents?

- Provide details [Free text]

Improvements and Good Practice

Question 116

What changes would help make adoption easier and more consistent?

- Provide details [Free text]

Question 117

Do you have examples of good practice you would like to share?

- Provide details [Free text]

Question 118

Is there anything else you would like to tell us?

- Provide details [Free text]

In addition to the questions aimed at public bodies, there are two questions on the impact on people with protected characteristics and the environment, in line with the Public Sector Equality Duty Equality Act 2010 (Question 155) and the Environment Act 2021 (Question 156):

Question 155

- Do you believe any of the proposals put forward could negatively or positively impact individuals who have a protected characteristic?
 - [Yes/No] Age
 - [Yes/No] Disability
 - [Yes/No] Sex
 - [Yes/No] Gender Reassignment
 - [Yes/No] Marriage or civil partnership
 - [Yes/No] Pregnancy and maternity
 - [Yes/No] Race (colour, nationality, ethnic or national origins)
 - [Yes/No] Religion or Belief
 - [Yes/No] Sexual orientation
 - [If you have answered yes to any of the above]
 - Please explain your rationale and evidence your thinking where possible.
[Free text]

Question 156

- Do you anticipate any environmental impacts from this policy, either positive or negative? [Yes/No]
 - If yes, please elaborate.
How could positive impacts be maximised or negative impacts be mitigated or minimised? [Free text]

4. APSE Comment

The adoption by developments of large areas of public amenities including open spaces, and roads, can be very problematic for local authorities who have little control over these areas but are often subject to dealing with many public complaints about the maintenance of such areas. Whilst moves to limit such contentions in the future will no doubt be welcome, the costs of further developments, particularly in the context of the government's target to deliver 1.5 Million additional homes, will no doubt be a consideration for local councils.

APSE would therefore encourage our member Councils, particularly those responsible for highways and open spaces (and those undergoing Local Government Reorganisation, whose future successor Unitary authorities shall take over these responsibilities) to familiarise themselves with this consultation and the extensive information, as well as ensuring that they respond to the consultation.

APSE is also keen to hear from member authorities directly of their views and we can put your views forward if preferred. [APSE is also hosting a webinar for members on 17 February](#) 10am with a MHCLG representative who will be there to present the consultation proposals and take any questions and members are strongly encouraged to join to put their views forward.

There is potential for significant impact on the workload of highways and open space teams and as the reforms take effect; future workloads and budgets will need to be planned to adopt and maintain additional areas not previously in the council's jurisdiction, and to be mindful of future building developments, as local authorities may well be compelled to adopt these in future.

The CMA report stated *"The cost of maintaining amenities will remain hard for them [private management] to predict and control and is likely to be higher than it would otherwise be if managed by local authorities, given the potential for local authorities to achieve greater efficiencies through economies of scale and locally based maintenance teams, and local authorities' focus on best value as opposed to the profit maximisation objectives of private firms."*

As an organisation dedicated to promoting public service excellence and local authority-led delivery, compared to for-profit private management companies, this is a statement we would concur with, particularly from residents' point of view from a cost and public service perspective, notwithstanding the concerns around capacity of authorities at present, as such, it is vital to have your voice heard.

Local authority teams across highways, parks and open spaces, are encouraged to join [the relevant APSE Networks](#) to share best practice, network with fellow authorities and join meetings to raise any concerns and suggestions, and come together to discuss this issue and the consultation.

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Sign up for APSE membership to enjoy a whole range of benefits

APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular networks, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The networks are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Networks are a free service included as part of your authority's membership of APSE and all end with an informal lunch to facilitate networking with peers in other councils. If you do not currently receive details about APSE network meetings and would like to be added to our list of our contacts for your service area please email enquiries@apse.org.uk

Our national networks include:

- FM and Building cleaning
- Catering (School Meals)
- Cemeteries and Crematoria
- Local Government Reorganisation Network
- Highways and Street Lighting
- Housing, Construction and Building Maintenance
- Local Authority Social Value, Procurement and Commercialisation
- Parks, Horticulture and Ground Maintenance
- Recovery and Renewal
- Renewables and Climate Change
- Roads, highways and street lighting
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